United Nations A/69/752

General Assembly

Distr.: General
3 February 2015

Original: English

Sixty-ninth session
Agenda item 68
Promotion and protection of human rights

Letter dated 28 January 2015 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith information on Uzbekistan's experience in improving the institutional framework of non-governmental organization activities (see annex).

I would appreciate it if you could circulate the present letter and its annex as a document of the sixty-ninth session of the General Assembly, under its agenda item 68.

(*Signed*) Muzaffar **Madrakhimov**

15-01317 (E) 100215

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Annex to the letter dated 28 January 2015 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

[Original: Russian]

Improving the institutional and legal framework for non-governmental organization activities: the experience of Uzbekistan

In the period since Uzbekistan achieved independence, a legal framework has been put in place that creates the conditions necessary for the effective functioning of non-governmental non-profit organizations.

The Constitution of Uzbekistan guarantees the right of citizens to form trade unions, political parties and other public associations, and to participate in social movements. Article 58 of the Constitution stipulates that the State shall safeguard the rights and lawful interests of public associations and give them equal legal opportunities to participate in public life.

Those constitutional provisions have been further developed through a series of special statutes that lay down the rights and powers of public associations and guarantees for their functioning.

In 1991 the Public Associations Act was adopted, setting out the principles for the establishment and operation of public associations — the principles of voluntarism, the equal rights of members (participants), self-regulation, observance of the law and openness.

The Act prohibits interference by government agencies and officials in the activities of public associations as well as interference by public associations in the activities of government agencies and officials.

In 1999 the Non-Governmental Non-profit Organizations Act came into force, setting out the legal status of non-governmental organizations, the procedure for their establishment and official registration, their rights and obligations, and the economic basis for their activities.

The Public Funds Act, adopted in 2003, regulates the establishment, operation, reorganization and liquidation of public funds. The Act guarantees the unhindered operation of such funds, the independence of their holdings and the protection of their business reputation.

The development of non-governmental organizations was given a boost with the adoption in 2007 of the Act on Guarantees for the Activities of Non-Governmental Non-profit Organizations, which enshrines the legal underpinnings guaranteeing the functioning of such organizations and protections for their rights and lawful interests. In particular, the Act prohibits hindrances to or interference in non-governmental organization activities. The Act also guarantees access to information for these organizations and entitles them to seek from government agencies and officials the information required for the implementation of their statutory activities.

Another article of the Act protects non-governmental organizations against unlawful decisions by government agencies and the actions or inaction of government officials. A special chapter of the Act is devoted to issues relating to State support for non-governmental organization activities. In particular, it sets out such forms of State support as subsidies, grants and government procurement, and the procedure and conditions for the provision of such support.

Legislative provisions on tax breaks and other preferential rates for mandatory payments are an important factor in ensuring the financial stability of non-governmental organizations. Under the Tax Code, such organizations are exempt from corporate income tax, value added tax, corporate property tax, land tax, and other taxes and mandatory contributions.

In addition to the development of legislation, measures have also been taken in Uzbekistan to provide practical support for socially beneficial non-governmental organization activities.

Since 2003, the Independent Institute for Monitoring the Formation of Civil Society and its regional offices have been providing information and methodological support to non-governmental organizations.

The National Association of Non-Governmental Organizations of Uzbekistan, with a membership of over 450 public organizations, has been in operation since its establishment in 2005. The Association has put in place an effective system of organizational, financial and logistical support for its members and is engaged in work to consolidate the efforts of non-governmental organizations in implementing socially significant projects and programmes.

The activities of the Women's Committee of Uzbekistan and the Ecological Movement of Uzbekistan — whose statutory purpose is to support women's non-governmental organizations and environmental non-governmental organizations, respectively — are also geared towards strengthening specialized non-governmental organizations.

In 2008, pursuant to a resolution of the Oliy Majlis (legislature) of Uzbekistan, a public fund of the supreme legislative body was established to support non-governmental organizations and other civil institutions; a parliamentary commission was also established to manage the moneys in the fund.

Between 2008 and 2013, budgetary resources amounting to over 28.9 billion sum were allocated to the fund to support the implementation of a range of social projects by non-governmental organizations and other civil institutions. These resources were used to support initiatives of civil institutions through grant competitions, subsidies and government procurement, as decided by the parliamentary commission.

A milestone in the latest phase of development of civil society was reached at a joint meeting of the houses of parliament in November 2010, at which the President of Uzbekistan, I. A. Karimov, presented a policy outline on further deepening democratic reforms and advancing the formation of civil society in Uzbekistan. This document outlines the tasks to be undertaken in drafting and adopting new laws, including laws that will ensure greater involvement of civil institutions in building the State and society.

Consequently, in December 2013 the Environmental Control Act came into force, under which non-governmental organizations are granted the authority to carry out public environmental control and to participate in the preparation and adoption of decisions on environmental protection. Non-governmental organizations are also entitled to make proposals to the relevant government agencies on measures to address violations of environmental laws and on the rational use of natural resources.

In September 2014, the Social Partnership Act was enacted and came into force. The purpose of this Act is to improve the institutional and legal mechanisms for cooperation between non-governmental organizations and government offices in implementing programmes aimed at achieving socioeconomic development, addressing humanitarian problems, and protecting the rights, freedoms and interests of various segments of the population.

In addition, a draft law on public oversight in the Republic of Uzbekistan has been prepared and is currently being discussed. Work is under way on a national programme of action on human rights that will include public monitoring measures to ensure compliance with laws on human rights and freedoms, particularly by law enforcement and regulatory authorities.

The adoption of presidential decision No. 2085 of 12 December 2013 on additional measures to further the development of civil society was a landmark event.

Pursuant to that decision, steps have been taken to simplify the procedure for registration of and reporting by non-governmental organizations and to improve the institutional and legal mechanisms for their cooperation with government agencies. In particular, as of 1 January 2014, the fees levied for official registration of a non-governmental organization and of its logo have been reduced to 20 per cent and 40 per cent, respectively, of the previous levels. The time frame for the review of applications for registration of non-governmental organizations by judicial authorities has been shortened from two months to one month. The Ministry of Justice has also been instructed to take measures to ensure that government agencies and offices respect the rights and interests of non-governmental organizations enshrined in domestic law and in international treaties to which the Republic of Uzbekistan is a party.

The monitoring conducted to date indicates that these measures have not only contributed to growth in the number of non-governmental organizations but have also helped to further enhance their role in effecting democratic change in Uzbekistan and developing and implementing crucial socioeconomic development programmes.

United Nations A/69/753–S/2015/84

General Assembly
Security Council

Distr.: General
2 February 2015

Original: English

General Assembly
Sixty-ninth session
Agenda item 68
Promotion and protection of human rights

Security Council
Seventieth session

Identical letters dated 2 February 2015 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General and the President of the General Assembly

Upon instructions from my Government, I have the honour to attach herewith a letter dated 2 February 2015 addressed to you from Mr. Ri Su Yong, Minister for Foreign Affairs of the Democratic People's Republic of Korea (see annex).

An identical letter from Mr. Ri Su Yong, Minister for Foreign Affairs of the Democratic People's Republic of Korea, has been sent to Mr. Sam Kahamba Kutesa, President of the sixty-ninth session of the General Assembly.

I should be grateful if you would have the present letter and its annex circulated as an official document of the sixty-ninth session of the General Assembly, under agenda item 68, and of the Security Council as soon as possible.

(*Signed*) **Ja** Song Nam
Ambassador
Permanent Representative

15-01337 (E) 090215

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Annex to the identical letters dated 2 February 2015 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General and the President of the General Assembly

I present my compliments to you, and write this letter in reference to the revelation of the falsehood behind the "Report of the commission of inquiry on human rights in the Democratic People's Republic of Korea" which became the basis of the "Human rights resolution" against the Democratic People's Republic of Korea adopted at the sixty-ninth session of the General Assembly.

The "Report of the commission of inquiry" was based on "testimonies" by so-called "defectors from the north", and the "testimony" given by the "defector from the north", Sin Tong Hyok, was the core of those "testimonies".

Recently, Sin Tong Hyok confessed before the international community that his "testimony" was a fabrication.

This means that the basis for the "Human rights resolution" on our country adopted at the sixty-ninth session of the General Assembly has collapsed and proves the utterly unjust nature of the act of the United States and other hostile forces in bringing Sin Tong Hyok and his like into the United Nations arena, organizing the anti-Democratic People's Republic of Korea "hearing" and railroading the "Human rights resolution."

I would like to remind you of the letters already sent by our Permanent Representatives in New York and in Geneva to you, the President of the General Assembly, the President of the Security Council and the President of the Human Rights Committee as regards Sin Tong Hyok's admission of giving false "testimony."

Those who cooked up the fraudulent document, including the former Chairman of the "commission of inquiry" on the human rights situation in the Democratic People's Republic of Korea, are spreading the sophism that the "Report of the commission of inquiry on human rights" against the Democratic People's Republic of Korea is based on the "testimonies" of hundreds of "defectors from the north" and Sin Tong Hyok's is only a part of them.

If they manage to present the list of that hundreds of "testifiers" they claim to have interviewed, we are ready to reveal to the whole world the true identities of each and every one of them and the crimes committed and the lies told by them one by one.

In such a case, it will be more evident that the United Nations arena, where the impartiality and objectivity are the principles of its activities, has been misused for the anti-Democratic People's Republic of Korea "human rights" racket, and this will result in deeply undermining the confidence that the United Nations enjoys.

I hope you will direct your kind attention to the following matters;

First, the anti-Democratic People's Republic of Korea "Human rights resolution" of the United Nations at issue was made up based on falsehood from A to Z.

Second, the initiators of the "resolution" should be held accountable for making the countries that supported the "resolution" fall for the lies.

To that end, I would like to propose the following to you Mr. Secretary-General with due courtesy.

1. Since the United Nations arena was reduced to a theatre of the anti-Democratic People's Republic of Korea "human rights" racket, I hope you will engage in correcting the situation and, in the immediate future, let all Member States of the United Nations know that the "resolution" adopted at the sixty-ninth session of the General Assembly is an unlawful one, falsely brought up and adopted based on fabricated information, and take due measures to revoke the "resolution".

2. The initiators of the "resolution", including the European Union and Japan, have colluded to forcibly adopt the "resolution" by concocting frauds and falsehoods from the beginning and they have not interviewed even a single citizen of the Democratic People's Republic of Korea while doing so. I hope you will urge them to admit this fact by themselves and apologize for it to the international community.

They have ignored our proposal for talks and framed up the "resolution" based on lies and fabrications. This is a mockery of and an insult to the United Nations.

If the "resolution" framed up by the European Union and Japan with information that was fully proven to be false before the international community is withdrawn, we are willing to actively engage in talks and cooperation in the field of human rights.

I wish you good health and success in your responsible work.

(*Signed*) **Ri** Su Yong
Minister for Foreign Affairs
Democratic People's Republic of Korea